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&  
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ATTORNEYS AT LAW

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TELEPHONE (954) 828-1488 FACSIMILE (954) 828-9122

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**FAX COVER SHEET**

DATE:	March 17, 2006	FROM:	Judith A. Parrish
TO:	<b>Office of Petitions</b>	FAX NO.:	(954) 828-9122
FIRM:	USPTO	PHONE NO.:	(954) 828-1488
FAX NO.:	1-571-273-8300	E-MAIL	jparrish@cwiplaw.com
PHONE NO.:	1-571-272-3209	PAGES, INCLUDING COVER	18
FILE NO.	1172-3U		

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Re: Application Number:	09/993,820
Filing Date:	November 16, 2001
Applicant(s):	Darin Prizzi
Entitled:	TOWEL HOLDER
Examiner:	Anita M. King
Group Art Unit:	3632
Attorney Docket No.:	1172-3U

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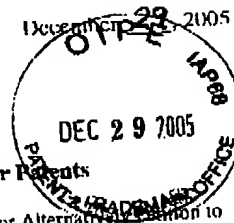
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DATE RECEIVED AND RETURN**

Attorney Docket No. 1172-3U  
U.S. Patent Application No. 09/993,820  
Filed: November 16, 2001  
Applicant(s): Darin Prizzi  
Title: TOWEL HOLDER

**Received by Box Petitions, Commissioner for Patents**

1. Communication
2. A copy of Renewed Petition Under 37 CFR 1.81 or Alternative Petition to Revive Unintentionally Abandoned Application Under 37 CFR 1.37(b) as filed by Applicant on March 7, 2005.
3. Copy of a Check to Director in the amount of \$85
4. Transmittal letter
5. Copy of cancelled check for previously paid filing fee



*This was hand delivered  
12/29/05*

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**GROUP 3600**

CHRISTOPHER & WEISBERG, P.A.  
200 East Las Olas Boulevard - Suite 2040  
Fort Lauderdale, Florida 33301  
Telephone: (954) 828-1488; Facsimile: (954) 828-9122

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Application No: 09/993,820  
Applicant(s): Darin Prizzi  
Filing Date: 11/16/2001  
Entitled: TOWEL HOLDER  
Attorney Docket No. 1172-3U

Examiner: Anita M. King  
Group Art Unit: 3632

Certificate of Mailing (37 C.F.R. 1.8(a))		
I hereby certify that this correspondence is being <b>Hand Delivered</b> in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date set forth below.		
December 29, 2005	Scott Paul, Esq.	<i>Scott Paul Esq</i>
Date of Signature and Mail Deposit	Name of Person Signing	Signature

Sir:

Transmitted herewith is a COMMUNICATION, and the following documents for your review:

- ☒ Renewed Petition Under 37 CFR 1.81 or Alternatively Petition to Revive Unintentionally Abandoned Application Under 37 CFR 1.37(b) as filed by Applicant on March 7, 2005 to Mail Stop Petitions, Commissioner for Patents
- ☒ Notice of Change of Correspondence Address is enclosed.
- ☒ Copy of cancelled check for previously paid petition (fee for \$665) is enclosed.
- ☒ Copy of a check for \$85 dated March 3, 2005 for new petition fee is enclosed.
- ☒ A self-addressed, stamped postcard for verification and receipt is enclosed.
- ☒ The Commissioner is hereby authorized to credit overpayments or charge payment of any additional fees associated with this communication to Deposit Account No. 502104.

Dated: December 29, 2005

*Allen Brufky /s/*  
Attorney of Record: Allen D. Brufky  
Registration No: 21,056

46108

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GROUP 3600

## PATENT

Certificate of Mailing (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being **Hand Delivered** in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date set forth below.

Scott Paul, Esq.  
Name of Person Delivering Paper

\_\_\_\_\_  
Signature of Person Delivering Paper

December 29, 2005  
Date of Deposit

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Number: 09/993,820  
Filing Date: November 16, 2001  
Applicant(s): Darin Prizzi  
Entitled: TOWEL HOLDER  
Examiner: Anita M. King  
Group Art Unit: 3632  
Attorney Docket No.: 1172-3U

Mail Stop Petitions  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**GROUP 3600****COMMUNICATIONS**

On March 7, 2005, Applicant submitted a "Renewed Petition Under 37 C.F.R. 1.81 or Alternatively Petition to Revive Unintentionally Abandoned Application Under 37 C.F.R. 1.37(b)." A copy of the Renewed Petition as filed on March 7, 2005, is attached as Exhibit A.

To date, a decision has not been rendered. Furthermore, a check with the USPTO website, specifically, the transaction history for this Application, shows that said petition is not

Application No. 09/993,820  
Filed: 11/16/2001  
Attorney Docket No.: 1172-3U

recorded as being received by the USPTO. In fact, the last entry on the transaction history for this Application dates back to June 30, 2004. A copy of the transaction history is enclosed as Exhibit A.

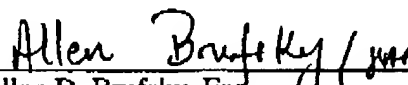
On March, 14, 2005, the undersigned attorney received the return postcard from the USPTO, indicating receipt of said petition on March 11, 2005. A copy of the return postcard is attached as Exhibit B.

Furthermore, a check in the amount of \$85.00, made payable to the Director of the USPTO, check no. 4360, and dated March 3, 2005, was submitted with the renewed petition, and later deposited by the USPTO on the drawers account.

WHEREFORE, we enclose herewith, the "Renewed Petition Under 37 C.F.R. 1.81 or Alternatively Petition to Revive Unintentionally Abandoned Application Under 37 C.F.R. 1.37(b)" and request that the filing date for this Renewed petition be as at March 11, 2005, the date it was originally received by the USPTO.

Date: December 29, 2005

Respectfully submitted,

  
Allen D. Brufsky, Esq.  
Registration Number 21056  
Attorney for Applicant  
CHRISTOPHER & WEISBERG, P.A.  
200 East Las Olas Boulevard, Suite 2040  
Fort Lauderdale, Florida 33301  
Customer No. 31292  
Telephone: (954) 828-1488  
Facsimile: (954) 828-9122

45909

## **EXHIBIT A**

**USPTO: PLEASE VERIFY, STAMP DATE  
RECEIVED AND RETURN**

March 7, 2005

Attorney Docket No. 1172-3U, U.S. continuation patent application -

Applicant(s):

For: TOWEL HOLDER

**Received by Box Petitions, Commissioner for Patents**

1. Renewed Petition Under 37 CFR 1.81 or Alternatively Petition to Revive

Unintentionally Abandoned Application Under 37 CFR 1.37(b)

2. Check to Director in the amount of \$85

3. Transmittal letter

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200 East Las Olas Boulevard - Suite 2040  
Fort Lauderdale, Florida 33301  
Telephone: (954) 828-1488; Facsimile: (954) 828-9122

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Application No: 09/993,820  
Applicant(s): Darin Prizzi  
Filing Date: 11/16/2001  
Entitled: TOWEL HOLDER  
Attorney Docket No. 1172-3U

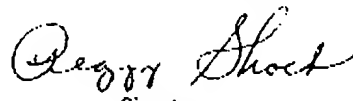
Examiner:  
Group Art Unit:

Certificate of Mailing (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service Post Office as first-class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date set forth below.

March 7, 2005

Peggy Shock



Date of Signature and Mail Deposit

Name of Person Signing

Signature

Sir:

Transmitted herewith is a Renewed Petition Under 37 CFR 1.81 or Alternatively Petition to Revive Unintentionally Abandoned Application Under 37 CFR 1.37(b)

☒ Notice of Change of Correspondence Address is enclosed.


☒ A self-addressed, stamped postcard for verification and receipt is enclosed.

☒ Copy of cancelled check for previously paid petition fee for \$665.

for \$85 for new petition fee.

☒ The Commissioner is hereby authorized to credit overpayments or charge payment of any additional fees associated with this communication to Deposit Account No. 502104.

Date: March 7, 2005

  
Attorney of Record: Allen D. Brufsky  
Registration No: 21,056

30804



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:      Darin Prizzi  
Title:                      Towel Holder  
Serial No.:                09/993,820  
Filed:                      November 16, 2001

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**RENEWED PETITION UNDER 37 C.F.R. 1.81 OR ALTERNATIVELY  
PETITION TO REVIVE UNINTENTIONALLY ABANDONED  
APPLICATION UNDER 37 C.F.R. 1.37(b)**

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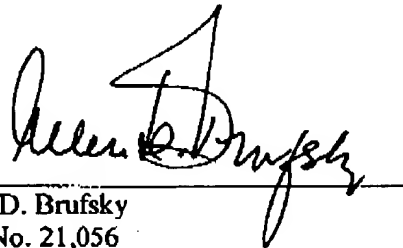
Responsive to the "Decision on Petition to Withdraw the Holding of Abandonment" (copy enclosed), dated June 17, 2004, Petitioner agrees with the Examiner that "The required notification of change of correspondence address need take no particular form". In the office action response dated 9/9/02 which was held non-compliant, applicant's attorney signed the paper giving his customer number 32575 as an indication of the correspondence address. This number was a clear indication of the correspondence address to be used in corresponding with the applicant. If the Patent Office had directed its holding of non-responsiveness to the customer number address, applicant's attorney would have received the same.

Therefore, it is respectfully requested that reconsideration of the decision on petition to withdraw the holding of abandonment should be had in light of this information, and the holding withdrawn.

If the above notification of change of correspondence address is still deemed sufficient, it is respectfully requested that the petition be converted to one to revive the application under 37 C.F.R. 1.137(b). The required reply to the non-compliant notice has previously been submitted

with the original petition to withdraw the holding of abandonment. The entire reply from the due date for the reply until the filing of this petition was unintentional as indicated by the factual findings. The fee for the petition of \$665 (small entity) was previously paid by Check No. 2871, a copy of which is enclosed. Enclosed is a check for \$85, representing the difference in the current fees.

Date: March 7, 2005

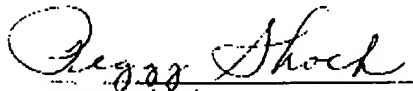


Allen D. Brufsky  
Reg. No. 21,056  
200 East Las Olas Boulevard  
Suite 2040  
Fort Lauderdale, FL 33301  
Phone: 954-828-1488  
Fax: 954-828-9122  
CUSTOMER NUMBER 32575

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8**

I hereby certify that this communication is being deposited with the United States Postal Service with sufficient postage as "First-Class" mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: March 7, 2005.

  
Peggy Shock

30641

## PATENT

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Peggy Shock  
Name of Person Mailing Paper

Peggy Shock  
Signature of Person Mailing Paper

March 7, 2005  
Date of Deposit

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial Number: 09/993,820  
Filing Date: November 16, 2001  
Applicant(s): Darin Prizzi  
Entitled: TOWEL HOLDER  
Examiner: Anita M. King  
Group Art Unit: 3632  
Attorney Docket No.: 1172-3U

**NOTICE OF CHANGE OF CORRESPONDENCE ADDRESS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Please address all future communications for the above-identified application to:

Allen D. Brufsky, Reg. No.: 21056  
CHRISTOPHER & WEISBERG, P.A.  
200 East Las Olas Boulevard - Suite 2040  
Fort Lauderdale, Florida 33301  
Tel: (954) 828-1488  
Fax: (954) 828-9122  
Customer No. 32575

Respectfully submitted,

Dated: March 7, 2005

By:

Allen D. Brufsky  
Allen D. Brufsky  
Reg. No. 21056  
Attorney for Applicant(s)  
Christopher & Weisberg, P.A.  
200 East Las Olas Boulevard, Suite 2040  
Fort Lauderdale, FL 33301  
Customer No. 31292

30645

2006-03-17 16:01

CHRISTOPHER & WEISBERG, P.A.  
200 E. LAS OLAS BLVD., SUITE 100  
FT. LAUDERDALE, FL 33301

954-828-0122 USPTO  
2 SACCOVE SANZ, P.A.  
FT. LAUDERDALE, FL 33301  
63-1356

P 12/18  
4360

3/3/2005

PAY TO THE  
ORDER OF

Director of the United States Patent and Trademark Office

85.00

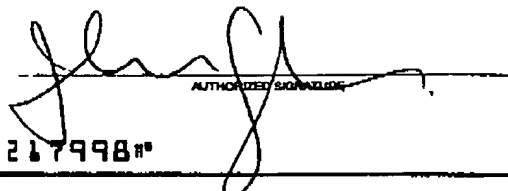
Eighty-Five & No/100 Dollars

DOLLARS

MEMO

Filing Fee 1172-3U

#004360# 1:067006432: 2000136217998#

  
AUTHORIZED SIGNATURE

CHRISTOPHER & WEISBERG, P.A.

4360

Director of the United States Patent and

Director

Invoice Date	Invoice No.	Description
3/3/2005	Filing Fee 1172-3U	Filing Fee 1172-3U

Reference No.	Amount
	85.00

CHRISTOPHER & WEISBERG, P.A.

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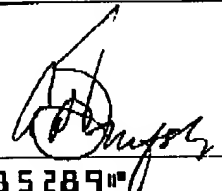
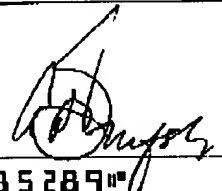
3/3/2005 Director of the United States Patent and

Director

Invoice No.	Description
Filing Fee 1172-3U	Filing Fee 1172-3U

Reference No.	Amount
	85.00

NELCO - LSR5016814 97/303

<b>ALLEN D. BRUFISKY, P. A.</b> <b>REGISTERED PATENT ATTORNEY</b> PHONE 239-261-9393 600 FIFTH AVE NAPLES, FL 34102		2871  6/24/04 DATE 63-643/670 BRANCH BR542
PAY TO THE ORDER OF <u>Director of Patent</u>		\$ <u>665<sup>00</sup>/<sub>100</sub></u>
<u>Six hundred &amp; sixty five <sup>00</sup>/<sub>100</sub></u>		DOLLARS
<b>WACHOVIA</b> Wachovia Bank, N.A. wachovia.com		
FOR <u>Pizzi 993 820</u>		
@002871 @06700643 2: 2000007385289		@0000066500

INFO SW:0035 PACKET:7

50310000114  
 WACHOVIA NA SU0071 5768T  
 PHILA, PA 0762044 100PK  
 7411055210

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 07-01-2004  
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## **EXHIBIT B**

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09/993,820 Towel holder

Application/Transaction Date	History	Published Document	Publication Date	Address & Attorney/Agent
06-30-2004				Workflow incoming petition IFW
06-17-2004				Petition Decision - Dismissed
04-26-2004				Petition Entered
04-26-2004				Workflow incoming petition IFW
03-09-2004				Mail Abandonment for Failure to Respond to Office Action
03-08-2004				Abandonment for Failure to Respond to Office Action
08-26-2003				Mail Notice of Informal or Non-Responsive Amendment
08-22-2003				Date Forwarded to Examiner
08-07-2003				Informal or Non-Responsive Amendment after Examiner Action
08-07-2003				Response after Non-Final Action
05-07-2003				Mail Non-Final Rejection
05-05-2003				Non-Final Rejection
02-26-2003				Date Forwarded to Examiner
02-12-2003				Supplemental Response

Date	Contents Description
06-30-2004	Workflow incoming petition IFW
06-17-2004	Petition Decision - Dismissed
04-26-2004	Petition Entered
04-26-2004	Workflow incoming petition IFW
03-09-2004	Mail Abandonment for Failure to Respond to Office Action
03-08-2004	Abandonment for Failure to Respond to Office Action
08-26-2003	Mail Notice of Informal or Non-Responsive Amendment
08-22-2003	Date Forwarded to Examiner
08-07-2003	Informal or Non-Responsive Amendment after Examiner Action
08-07-2003	Response after Non-Final Action
05-07-2003	Mail Non-Final Rejection
05-05-2003	Non-Final Rejection
02-26-2003	Date Forwarded to Examiner
02-12-2003	Supplemental Response

[http://portal.uspto.gov/external/portal?utp/s.7\\_0\\_A7\\_0\\_CH/cmd/ad/at/sa.getBib/c/6\\_0\\_69/ce/7\\_0\\_1ET/p/5\\_0\\_18L/d/1?s...](http://portal.uspto.gov/external/portal?utp/s.7_0_A7_0_CH/cmd/ad/at/sa.getBib/c/6_0_69/ce/7_0_1ET/p/5_0_18L/d/1?s...) 12/19/2005

02-26-2003	Date Forwarded to Examiner
02-12-2003	Request for Continued Examination (RCE)
02-26-2003	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)
02-12-2003	Workflow - Request for RCE - Begin
11-27-2002	Mail Final Rejection (PTOL - 326)
11-25-2002	Final Rejection
09-24-2002	Date Forwarded to Examiner
09-16-2002	Response after Non-Final Action
08-14-2002	Mail Non-Final Rejection
08-09-2002	Non-Final Rejection
02-05-2002	Correspondence Address Change
12-31-2001	Case Docketed to Examiner in GAU
12-11-2001	Application Dispatched from OIPE
12-07-2001	Correspondence Address Change
12-03-2001	IFW Scan & PACR Auto Security Review
11-16-2001	Initial Exam Team nn

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- Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail [EBC@uspto.gov](mailto:EBC@uspto.gov) for about Patent Application Information Retrieval (PAIR).
- Send general questions about USPTO programs to the USPTO Contact Center (UCC).
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## EXHIBIT C

**USPTO: PLEASE VERIFY, STAMP DATE  
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March 7, 2005

Attorney Docket No. 1172-3U, U.S. continuation patent application -

Applicant(s):

For: TOWEL HOLDER

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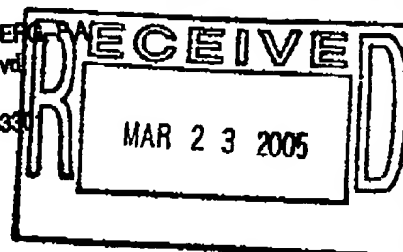
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